

REMARKS

In response to the Office Action mailed June 5, 2001, the Applicant respectfully requests that the Examiner consider the following remarks. The rejection is respectfully traversed. As a result, claims 1-23 are still pending in the application. The Applicant respectfully requests further examination and reconsideration of the application in light of the remarks.

Rejection of Claims 1-23 Under 35 U.S.C. § 103

The Examiner rejected claims 1-23 under 35 U.S.C. § 103(a) as being unpatentable over Lewis, U.S. Patent No. 5,333,971, in view of Lamp, U.S. Patent No. 1,066,822. The Applicant respectfully traverses the rejection.

The Applicant has amended claims 1, 14, and 19 to more clearly describe the present invention. Claims 1, 14, and 19 have been amended to describe the shape of the female and male connecting portions of the retaining panel as substantially C-shaped and T-shaped, respectively. The claims are modified to describe the shapes of the connecting portions as shown throughout the drawings of the application as filed. "[I]nformation contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter." MPEP §2163.06

As stated in the patent application as filed, there is "a need for seawall panels that are better adapted to endure various pressures and loads." The present invention satisfies this need. The Applicant respectfully directs the Examiner's attention to the patent application, particularly to the male and female connecting portions of the seawall panel shown in Figure 11 and Figure 12. Figure 11 is a view of the female

connecting portion of the seawall panel, drawn as a cross sectional view with dimensions of the left distal portion of the retaining panel of Figure 10. Figure 12 is a view of the male connecting portion of the seawall panel, drawn as a cross sectional view with dimensions of the right distal portion of the retaining panel of Figure 10. By amendment to the claims, the distal portions serving as connecting portions of the seawall are specified in independent claims 1, 14 and 19 as either C-shaped or T-shaped, with additional references throughout the dependent claims.

The Applicant respectfully submits that it would not have been obvious to one of skill in the art at the time the invention was made to produce the shape of the Applicant's connector. The Examiner makes reference to the prior art of Lewis, which describes connectors using beads and sockets, and Lamp, which describes connectors using projections and eyes, to enable the interconnection of panels. The Examiner suggests the present invention is made obvious by leveling the distal portion so as to be substantially parallel with the proximal portion, as taught by Lamp in order to ensure that two connected flanges are in the same plane. Although the Applicant's connector requires a generally parallel distal and proximal portion to make the connection between adjacent seawall panels, the shapes of the male and female connecting portions of the Applicant's invention are not obvious from Lewis in view of Lamp.

The Applicant's female and male connecting portions of the seawall may be described as generally C-shaped members and T-shaped members, respectively. The interlocked edge standing relationship of the male connecting portions within the female connection portions of adjacent seawall panels adds structural rigidity to the resultant wall comprised of multiple, interlocked panels. The seawall comprised of multiple,

interlocked panels is more resistant to bowing and flexing as it is subjected to loads transmitted against the wall. The present invention provides for walls with a greater degree of structural rigidity and resistance to bending or flexing than walls made with seawall panels known in the art at the time the invention was made.

In addition, the strength at the connection of the interlocked panels in the present invention is improved by the use of the generally C-shaped and T-shaped connectors. The strength of the connectors, particularly as an interlocked unit, is increased and thus more resistant to pullout forces than the connections used in previous seawall panels at the time the invention was made. The beads, sockets, projections, and eyes of the prior art are generally circular connectors, lacking the flat contact area of the present invention's T-shape connector within the C-shape connector to oppose the pullout force between interconnected seawall panels. Based on the strength of the connection of interlocked panels of the present invention, the seawall panels may be subjected to higher pressures and loads which would have broken the connection between adjacent seawall panels known in the art at the time the invention was made.

The Examiner has taken the position that it would have been an obvious matter of design choice to make the distance from the female connecting portion to the male connecting portion at least about 24 inches. The Applicant respectfully submits that the strength of the interlocked C-shaped and T-shaped connectors of the present invention as described in amended claims 1, 14, and 19 enable the use of seawall panels to be at least twenty-four (24) inches long between the male and female connecting portions as indicated in claims 21, 22, and 23. The connectors used on the seawall panels of the present invention add structural rigidity, resistance to bowing and flexing from

exterior forces applied to a constructed seawall, and greater resistance to pullout forces of the interlocking connection of panels. As a product of the increased strength of the interlocked connection arising from use of the seawall connectors described in the present invention, it is possible to construct a wall over a given distance with fewer seawall panels. The resultant decrease in installation time of a seawall having fewer panels and connections is an economic benefit of the present invention.

Applicant thus respectfully submits that the outstanding rejection under 35 U.S.C. §103(a) may be properly withdrawn with respect to these claims.

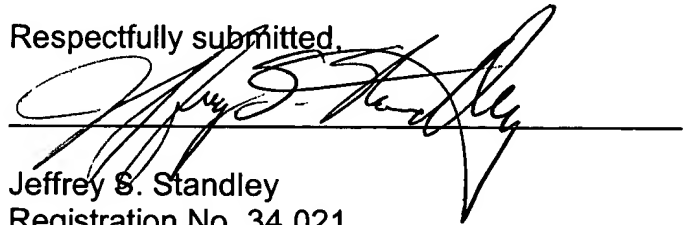
CONCLUSION

The Applicant has amended claims 1, 14, and 19 to more clearly describe the present invention. The Applicant has distinguished claims 1-23 over the cited references. In particular, the Applicant respectfully submits that Lewis in view of Lamp cannot support the rejection of claims 1-23 under 35 U.S.C. § 103(a). Therefore, the Applicant respectfully submits that the present application is now in condition for allowance, and such action is earnestly requested.

Date: _____

9/5/01

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claim 1 has been amended as follows:

1. (twice amended) A retaining panel for a body of water, the retaining panel comprising:
 - a continuous central portion having a first end and a second end;
 - a first side portion integrally connected to and extending rearwardly at a first angle from said first end of said central portion, said first side portion having a rear end;
 - a second side portion integrally connected to and extending rearwardly at a second angle from said second end of said central portion, said second side portion having a rear end;
 - a first flange integrally connected to and extending from said rear end of said first side portion, said first flange having a proximal portion and a distal portion, said distal portion of said first flange defining a substantially C-shaped female connecting portion, said distal portion of said first flange extending forwardly at a third angle from said proximal portion of said first flange to said female connecting portion; and
 - a second flange integrally connected to and extending from said rear end of said second side portion, said second flange having a proximal portion and a distal portion, said distal portion of said second flange defining a substantially T-shaped male connecting portion, said distal portion of said second flange extending forwardly at a fourth angle from said proximal

portion of said second flange then leveling to being substantially parallel to said proximal portion of said second flange then terminating with said male connecting portion;

wherein said retaining panel is adapted to be connected to a substantially similar, adjacent retaining panel by inserting said male connecting portion of said retaining panel into said female connecting portion of said adjacent retaining panel.

Claim 14 has been amended as follows:

14. (twice amended) A retaining panel for a body of water, said retaining panel comprising:

a continuous central portion having a first end and a second end;

a first side portion integrally connected to and extending at a first angle from said first end of said central portion, said first side portion having a rear end;

a second side portion integrally connected to and extending at a second angle from said second end of said central portion, said second angle approximately equal to said first angle, said second side portion having a rear end;

a first flange integrally connected to and extending at a third angle from said rear end of said first side portion, said first flange having a proximal portion and a distal portion, said distal portion of said first flange defining a substantially C-shaped female connecting portion, said distal portion of

said first flange extending at a fifth angle from said proximal portion of said first flange to said female connecting portion; and
a second flange integrally connected to and extending at a fourth angle from said rear end of said second side portion, said second flange having a proximal portion and a distal portion, said distal portion of said second flange defining a substantially T-shaped male connecting portion, said distal portion of said second flange extending at a sixth angle from said proximal portion of said second flange then leveling to being substantially parallel to said proximal portion of said second flange then terminating with said male connecting portion;
wherein said retaining panel is adapted to be connected to a substantially similar, adjacent retaining panel by inserting said male connecting portion of said retaining panel into said female connecting portion of said adjacent retaining panel.

Claim 19 has been amended as follows:

19. (twice amended) A retaining panel of one-piece construction for a body of water, said retaining panel comprising:
a central portion having a first end and a second end;
a first side portion integrally connected to and extending at a first angle from said first end of said central portion, said first side portion having a rear end;
a second side portion integrally connected to and extending at a second angle from said second end of said central portion, said second side portion

having a rear end, said second angle approximately equal to said first angle, the length of said second side portion approximately equal to the length of said first side portion;

a first flange integrally connected to and extending at a third angle from said rear end of said first side portion, said first flange having a proximal portion and a distal portion, said distal portion of said first flange defining a substantially C-shaped female connecting portion, said distal portion of said first flange extending at a fifth angle from said proximal portion of said first flange to said female connecting portion; and

a second flange integrally connected to and extending at a fourth angle from said rear end of said second side portion, said fourth angle approximately equal to said third angle, said second flange having a proximal portion and a distal portion, said distal portion of said second flange defining a substantially T-shaped male connecting portion, said distal portion of said second flange extending at a sixth angle from said proximal portion of said second flange then leveling to being substantially parallel to said proximal portion of said second flange then terminating with said male connecting portion;

wherein said retaining panel is adapted to be interlocked with a substantially similar, adjacent retaining panel by inserting said male connecting portion of said retaining panel into said female connecting portion of said adjacent retaining panel.